

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FIRSTENERGY CORP., <i>et al.</i> ,) CASE NO.: 1:20-CV-01966
)
vs.) PLAINTIFFS, JUDGE: PAMELA A. BARKER
)
MICHAEL PIRCIO,)
) DEFENDANT.) STIPULATED INJUNCTION

This matter is before the Court on Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction ("Motion") (ECF Doc. 2) and a letter from Vincent McKnight to Plaintiffs' counsel of record in this case dated September 2, 2020 ("Letter") (attached hereto as Exhibit A) that references the pendency of an investigation by the Securities and Exchange Commission ("SEC") into information submitted to the SEC by Mr. McKnight's law firm, Sanford Heisler Sharp LLP ("SHS") on August 7, 2020 ("SEC Investigation"). The Parties having conferred about the foregoing, Plaintiffs FirstEnergy Corp. ("FirstEnergy") and Clearsulting LLC ("Clearsulting"), on the one hand, and Defendant Michael Pircio ("Pircio"), on the other, hereby stipulate that this Court **ORDER** that until further Order of this Court:

1. Subject to Paragraph 3 of this Stipulated Injunction, Defendant Michael Pircio is enjoined from using, disclosing, or misappropriating any of Plaintiffs' information and data that Defendant downloaded from Clearsulting's Sharepoint site on July 30, 2020 or otherwise obtained by Defendant on any other date;
2. Subject to Paragraph 3 of this Stipulated Injunction, Defendant Michael Pircio shall relinquish and return to FirstEnergy all copies or versions of Plaintiffs' information or data that Defendant downloaded from Clearsulting's Sharepoint site on July 30, 2020 or otherwise obtained by Defendant on any other date. Notwithstanding the foregoing, Defendant's undersigned counsel

may retain an image or version of said information and data, which shall be maintained as confidential and not copied to any device or new storage medium except by a computer forensics firm retained by Defendant's undersigned counsel for purposes of defending this lawsuit; and

3. Defendant Michael Pircio shall instruct SHS to relinquish and return to FirstEnergy, upon the conclusion of the SEC Investigation, all versions of Plaintiffs' data or information that Defendant Michael Pircio provided to SHS. Until the conclusion of the SEC Investigation, Defendant Michael Pircio shall instruct SHS to maintain the confidentiality of Plaintiffs' data and information and not to disclose it except to the SEC in furtherance of the SEC Investigation, or as otherwise instructed or ordered by the SEC. Furthermore, nothing in this Stipulated Injunction shall be construed as prohibiting Defendant Michael Pircio from cooperating with the SEC Investigation or investigation by any other government agency.

SO STIPULATED BY ALL PARTIES:

Date: 9/9/2020 _____ /s/ Laura A. Hauser _____
LAURA A. HAUSER, counsel for Michael Pircio

Date: 9/9/2020 _____ /s/ Gregory J. Phillips _____
GREGORY J. PHILLIPS, counsel for FirstEnergy
Corp.

Date: 9/9/2020 _____ /s/ Stephen Bales _____
STEPHEN BALES, counsel for Clearsulting LLC.

SO ORDERED:

Date: _____

DISTRICT JUDGE PAMELA A. BARKER